

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

VIRGILIO PEÑALOZA,

Plaintiff,

v.

Civil Action No. 3:11CV98

DOCTOR HUBBERT, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on February 24, 2011, the Court conditionally docketed Plaintiff's action. The Memorandum Order warned Plaintiff that he must immediately advise the Court of his new address in the event that is transferred or relocated. On March 2, 2011, the February 14, 2011 Memorandum Order was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER," "NOT DELIVERABLE AS ADDRESSED," and "UNABLE TO FORWARD." Plaintiff's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Plaintiff.

An appropriate Order shall accompany this Memorandum Opinion.

_____/s/ *REP*_____
Robert E. Payne
Senior United States District Judge

Date: March 18, 2011
Richmond, Virginia